

Absent: Small, Van Zandt and Hill.

S. B. No. 402, was reported favorably with committee amendments by viva voce vote.

DICK DeBERRY, Secretary.

Minutes of Committee on Finance,
Held April 2, 1935.

Special Meeting.

H. B. No. 781 was reported unfavorably, with favorable committee substitute.

NOEL, K. BROWN, Secretary.

Minutes of Committee on Mining, Irrigation and Drainage, Held
April 1, 1935.

Called Meeting.

Present: Regan, DeBerry, Hill, Holbrook, Neal, Small, Stone, Van Zandt and Burns.

Absent—excused: Hopkins and Blackert.

S. B. No. 355, was reported favorably with committee amendment by viva voce vote.

S. B. No. 464, was reported favorably with committee amendment by viva voce vote.

ORVALEA WILLBANKS.

Secretary.

Minutes of Committee on Federal Relations, Held April 3, 1935.

Called Meeting.

Present: Westerfeld, Davis, Blackert and Burns.

Absent: Hill.

H. B. No. 507, was reported favorably by viva voce vote.

H. C. R. No. 39, was reported favorably by viva voce vote.

H. C. R. No. 17, was reported favorably by viva voce vote.

S. C. R. No. 19, was reported adversely by viva voce vote.

H. J. R. No. 5, was laid on table subject to call by viva voce vote.

H. C. R. No. 1, was laid on table subject to call by viva voce vote.

EDNA COBB, Secretary.

FORTY-SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 5, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 782.

The Chair placed before the Senate as pending business:

H. B. No. 782, A bill to be entitled "An Act providing for the conservation of the oil and gas resources of the State of Texas and for the prevention of the waste thereof; providing means of making effective and enforcing the oil and gas conservation laws of this State and Title 102, Revised Civil Statutes of Texas, 1925, as amended; defining terms; specifically defining and prohibiting waste; providing utilization for manufacture of natural gasoline of gas produced from an oil well within permitted gas-oil ratio shall not be included in the definition of waste; empowering and directing the Railroad Commission of Texas to make and enforce such rules, regulations or orders as may be necessary to conserve such oil and gas resources and prevent their waste; etc., and declaring an emergency."

Motion to Re-Commit.

Senator Hill moved to re-commit H. B. No. 782 to the Committee on State Affairs for further consideration.

Pending.

The Chair informed Senator Hill that his time had expired.

On motion of Senator Shivers, Senator Hill's time was extended ten minutes.

Senator Burns moved that Senator Hill's time be extended indefinitely.

Senator Moore as a substitute moved that the Senator's time be extended for ten minutes.

The substitute motion prevailed.

The motion to re-commit lost by viva voce vote.

Senator Pace sent up the following amendment:

Amend H. B. No. 782, page 6, of the printed bill by striking out everything beginning with the word, "provided" in line 10 and down to and including the word, "thereof" in line 24 and substituting therefor the following:

"Provided that any such order, rule or regulation promulgated by the Railroad Commission of Texas with reference to the purchase,

transportation, selling or handling of any of the products of petroleum oil above enumerated shall apply uniformly over the State of Texas, but the provisions of this Section shall not apply to the retail purchaser of any product of petroleum where such purchase is made for his own consumption and use."

PACE.

Read and pending.

Message From the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Office.

Austin, Texas, April 5, 1935.

To the Senate of the 44th Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be Members of the State Planning Board:

W. M. Massie, of Fort Worth, Tarrant County, Chairman, for a term of 4 years.

Wilbur Hawk, of Amarillo, Potter County, for a term of 4 years.

E. L. Kurth, of Lufkin, Angelina County (reforestation), for a term of 2 years.

Heretofore I have submitted to you for appointment on the State Board of Medical Examiners the names of four members of the medical profession. It has been called to my attention that these appointments operated to give the general school of medicine a greater number upon the Board than that to which they were entitled. Dr. J. T. Lawson of Bowie, who was the last named on the Board, has very generously consented to the withdrawal of his name in order that a representative of another school of medicine may be appointed.

I am therefore submitting the name of Dr. H. H. Blankenmeyer, of Aransas Pass, San Patricio County, for reappointment.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

Read and referred to the Committee on Governor's Nominations.

House Bill No. 227.

Senator Oneal moved to print on minority report H. B. No. 227, and moved to spread the motion on the Journal.

Senate Bill No. 364.

Senator Holbrook moved to print on minority report S. B. No. 364, and moved to spread the motion on the Journal.

H. C. R. No. 50.

Senator Redditt moved that the Senate grant the request of the House for the appointment of a Conference Committee to adjust the differences between the two Houses on H. C. R. No. 50.

The motion prevailed.

Conference Committee Appointed.

The Chair appointed the following as conferees on the part of the Senate on H. C. R. No. 50:

Senators Redditt, DeBerry, Martin, Collie and Sulak.

Request to Suspend the Regular Order of Business.

Senator Moore received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornshy.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent.

Sulak.

Absent—Excused.

Fellbaum.

Senate Bill No. 488.

By Senators Moore, Holbrook, Hill, Cotten, Oneal, Poage, DeBerry, Burns, Shivers, Van Zandt and Neal:

S. B. No. 488, A bill to be entitled "An Act re-enacting the Anti-trust laws of the State of Texas and eliminating therefrom certain exceptions and exemptions; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Resolution No. 68.

Senator Hill asked unanimous consent to suspend the regular order of business and to take up S. R. No. 68.

There was objection.

Senator Hill moved to suspend the regular order of business and to take up out of order S. R. No. 68.

Motion pending.

Motion to Recess.

Senator Stone at 12:15 o'clock p. m. moved that the Senate recess until 2:00 o'clock p. m.

The motion prevailed by viva voce vote.

After Recess.

The Senate met at 2:00 o'clock p. m. pursuant to recess and was called to order by the Lieutenant Governor, Walter F. Woodul.

At Ease.

Senator Rawlings moved that the Senate stand at ease, subject to the call of the Chair, to allow the Committee on Banks and Banking to complete a hearing on several important bills.

The motion prevailed by viva voce vote.

Senate Called to Order.

The Chair called the Senate to order at 2:20 o'clock p. m.

Senate Resolution No. 68.

Senator Hill withdrew his motion to suspend the regular order of business and take up S. R. No. 68.

House Bill No. 424.

Senator Redditt moved that the

Senate grant the request of the House for the appointment of a Conference Committee to adjust the differences between the two Houses on H. B. No. 424.

The motion prevailed.

Conference Committee Appointed.

The Chair appointed the following as conferees on the part of the Senate to H. B. No. 424: Senators Redditt, Moore, Hopkins, Small and Pace.

S. J. R. No. 24.**Motion to Concur.**

Senator Holbrook moved that the Senate do concur in House amendments to S. J. R. No. 24.

The motion prevailed by the following vote:

Yeas—26.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—1.

DeBerry.

Absent.

Hopkins.

Poage.

Absent—Excused.

Fellbaum.

House Bill No. 782.

Pending business was the pending amendment by Senator Pace to H. B. No. 782.

Motion to Table.

Senator Small moved to table the amendment by Senator Pace.

The motion to table prevailed by the following vote:

Yeas—15.

Blackert.	Oneal.
Collie.	Poage.
Davis.	Rawlings.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Moore.	Stone.
Neal.	

Nays—7.

Burns.	Redditt.
Cotten.	Sulak.
Hill.	Woodruff.
Pace.	

Absent.

Beck.	Westerfeld.
Van Zandt.	

Absent—Excused.

Fellbaum.

(Pairs Recorded.)

Senator DeBerry (present), who would vote nay with Senator Regan (absent), who would vote yea.

Senator Martin (present), who would vote nay with Senator Hopkins (absent), who would vote yea.

Senator Martin sent up the following amendment:

Amend H. B. No. 782 by adding after the word "hearing," line 44, page 7, the following:

"Provided, further, however, that the court shall have no right and power to appoint a receiver for any corporation until after its chartered rights have been duly and legally and finally forfeited, and said receiver shall have power only to close out the affairs of said corporation and distribute its assets to the persons entitled to receive the same."

MARTIN.

Read.

Motion to Table.

Senator Small moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—17.

Beck.	Holbrook.
Blackert.	Hornsby.
Collie.	Moore.
Davis.	Neal.

Oneal.	Shivers.
Poage.	Small.
Rawlings.	Stone.
Redditt.	Sulak.
Sanderford.	

Nays—6.

Burns.	Hill.
Cotten.	Martin.
DeBerry.	Woodruff.

Absent—Excused.

Duggan.	Regan.
Fellbaum.	Van Zandt.
Hopkins.	Westerfeld.
Pace.	

Senator Woodruff sent up the following amendment:

Amend H. B. No. 782 by adding in Section 2 a new subsection numbered and reading as follows:

Sec. (k) That Article 6016 of the Revised Civil Statutes of Texas, 1925, be amended so as hereafter to read as follows:

Section (1). Whenever natural gas shall be encountered in any well in this State, producing natural gas only, such gas shall be confined to its original horizon until the same can be produced and utilized without waste for some useful and lawful purpose, and all gas-producing horizons shall be adequately protected from infiltrating waters; provided, that under no circumstances shall any person, firm or corporation in possession as owner, lessee, agent, trustee, receiver, or manager of any well producing natural gas only, or any person, firm, co-partnership, corporation, agent, trustee or receiver receiving, purchasing or processing natural gas from any such well, permit any such gas to be wasted into the air in its natural state, or as residue gas from a natural gasoline plant, or otherwise, whether such gas be burned as it escapes or not.

Sec. (2). Any person violating any of the provisions of this article shall be liable to a penalty of Five Hundred (\$500.00) Dollars for each day such offense is committed, and each day any such violation continues, shall be a separate and distinct offense for which the party in violation shall be held liable for the penalty herein prescribed; such penalty to be recovered with the costs

of suit in a civil action instituted by the Attorney General, or by the County or District Attorney, or by any party having an interest in the pool or reservoir where such violation may occur, and any and all violations or threatened violations of this Act may be enjoined in any court of competent jurisdiction by any such parties.

Sec. (3). All laws, or parts of laws, in conflict with the provisions of this Act are hereby expressly repealed.

Sec. (4). If any of the sections or clauses or any of the provisions of Subsection (k) hereof shall be held unconstitutional or otherwise invalid or unenforceable, such holding shall not have the effect of nullifying or in anywise affecting the remainder of this said subsection and the parts of said subsection not so held to be unconstitutional or invalid shall remain in full force and effect.

WOODRUFF.

Read.

Point of Order.

Senator Small raised the point of order that the amendment was not germane to the bill.

The Chair, Senator Rawlings presiding, overruled the point of order.

Senator Woodruff moved the adoption of the amendment.

H. C. R. No. 71.

Senator Oneal received unanimous consent to suspend the regular order of business and take up H. C. R. No. 71—"Instructing the Enrolling Clerk of the House to make certain corrections in H. B. No. 251."

H. C. R. No. 71 was adopted unanimously by viva voce vote.

House Bill No. 782.

Senator Hill sent up the following amendment:

Amend Woodruff amendment to H. B. No. 782, by adding thereto another section, as follows:

"Section 1. This Act shall not apply to wells producing gas containing distillate from a depth of 6500 feet or more below the surface of the earth when the Railroad Commission, after a hearing shall find:

"(a) That said wells are producing from a stratum or formation not connected with a producing oil field or pool;

"(b) That it is physically impracticable to return the gas to the same producing stratum or formation;

"(c) That not to exceed 25% of the open flow of such wells is processed through a gasoline plant manufacturing gasoline, kerosene, naphtha and gas oil; and,

"(d) That there is no available market for the residue gas from such plant."

HILL.

Read and withdrawn.

Motion to Table.

Senator Small moved to table the amendment by Senator Woodruff.

Motion to table pending.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives, Austin, Texas, April 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 390, A bill to be entitled "An Act providing that the Board of Pardons and Paroles, created by Chapter 45, Acts of First Called Session, Forty-first Legislature, shall hereafter sit and have their offices at Huntsville, Walker County, Texas, and declaring an emergency."

H. B. No. 455, A bill to be entitled "An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Section 22, Chapter 26, Acts First Called Session, Forty-second Legislature, amending Section 11, Chapter 162, Acts Regular Session, Forty-third Legislature; and amending Chapter 43, H. B. No. 43, Acts of the Second Called Session of the Forty-third Legislature, 1934; appropriating the proceeds of the tax derived under the provisions hereof; authorizing the Railroad Commission to employ such help and to incur such other expenses as are necessary to enforce the conservation laws of this State relating to oil and gas and the orders of the Railroad Commission promulgated pursuant thereto, etc., and declaring an emergency."

The House has refused to concur

in Senate Amendments to H. B. No. 424 and requests the Senate for the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following conferees are appointed as conferees on the part of the House:

Leonard, Huddleston, Burton, Morris, Newton.

The House has adopted the following joint resolution:

S. J. R. No. 24, Proposing to amend the Constitution of the State of Texas so as to permit the furnishing of State official textbooks free to every child of scholastic age, attending any school within the State.

(With amendments.)

The House has passed the following resolutions:

H. C. R. No. 51, Granting permission to Mr. and Mrs. H. B. McMurray to sue the State of Texas for personal injuries.

S. C. R. No. 28, Designating Texas beautification and conservation week.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives,
Hall of the House of Representatives,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 55, Providing for the appointment of a committee to represent the State of Texas in order to settle the boundary dispute between Texas and Oklahoma.

H. C. R. No. 65, To memorialize Congress in regard to the cotton industry.

H. C. R. No. 71, Instructing the enrolling clerk of the House to make certain corrections in H. B. No. 251.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 324.	S. B. No. 260.
S. B. No. 97.	S. B. No. 135.
S. B. No. 396.	H. B. No. 385.
S. B. No. 459.	H. B. No. 818.
S. B. No. 294.	H. B. No. 329.
S. B. No. 450.	

Bills and Resolutions Referred.

H. C. R. No. 51 referred to the Committee on State Affairs.

H. B. No. 390 referred to the Committee on Penitentiaries.

H. B. No. 455 referred to the Committee on Finance.

Motion to Recess.

Senator Moore at 4:20 o'clock p. m. moved that the Senate recess until 10 o'clock a. m., Monday.

Senator DeBerry moved that the Senate recess until 10:00 o'clock a. m., Saturday.

The motion to recess until 10:00 o'clock a. m. Monday lost by the following vote:

Yeas—11.

Cotten.	Sanderford.
Davis.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Moore.	Sulak.
Rawlings.	

Nays—13.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Poage.
Collie.	Redditt.
DeBerry.	Van Zandt.
Hornsby.	Woodruff.
Martin.	

Absent.

Duggan.	Westerfeld.
Pace.	

Absent—Excused.

Fellbaum.	Regan.
Hopkins.	

Recess.

Senator Sanderford moved that the Senate recess until 9:45 o'clock a. m. Monday.

The motion to recess until 9:45 o'clock a. m. Monday prevailed by the following vote:

Yeas—13.

Beck.	Rawlings.
Burns.	Sanderford.
Cotten.	Shivers.
Davis.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Moore.	

Nays—11.

Blackert.	Oneal.
Collie.	Poage.
DeBerry.	Redditt.
Hornsby.	Van Zandt.
Martin.	Woodruff.
Neal.	

Absent.

Duggan.	Westerfeld.
Pace.	

Absent—Excused.

Fellbaum.	Regan.
Hopkins.	

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 97 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 324 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 459 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 396 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 135 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 260 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 450 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 294 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Banking, have had under consideration S. B. No. 470 and recommend to the Senate that this bill be reported favorably with recommendation that it do pass with committee amendment and be printed.

SANDERFORD, Chairman.

Committee Amendment.

Amend S. B. No. 470 by striking out in Section 1 all of Article 4350 and inserting in lieu thereof the following:

Article 4350. Warrants on Treasurer.—No warrant shall be issued by the Comptroller to any person indebted to the State, or to his agent or assignee, if prior to the issuance of the warrant the Attorney General or the head of any other State Department shall file with the Comptroller a certificate showing the nature and amount of such indebtedness and stating that in the opinion of such State official the State will probably be unable to collect its debt against such debtor if such warrant

is issued and paid. Provided that the head of the department filing such certificate may withdraw the same and after such withdrawal the issuance of the warrant shall not be withheld on account of such certificate. A bona fide purchaser for value of any State warrant issued by the Comptroller shall be entitled to rely upon the Comptroller's action in issuing the warrant as a certificate by him that the warrant was not issued in violation of this article of the statutes.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 484,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SANDERFORD, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 360,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SANDERFORD, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 486,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SANDERFORD, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

H. B. No. 390, A bill to be entitled "An Act providing that the Board of Pardons and Paroles created by Chapter 45, Acts First Called Session, Forty-first Legislature, shall

hereafter sit and have their offices at Huntsville, Walker County, Texas; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 356, A bill to be entitled "An Act amending Sections 3, 14, and 16 of S. B. No. 49, Chapter 107, Acts of the Regular Session, Forty-first Legislature, 1929, relating to the salary of the Board of Pharmacy, providing renewal fees for licenses and prohibiting the use of the word "pharmacy" where no registered pharmacist is employed and fixing penalties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed, in bill form with amendments.

BECK, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

H. B. No. 227, A bill to be entitled "An Act declaring a public policy of the State with respect to regulation of development, conservation, transportation, and sale of natural gas; defining common carrier pipe lines engaged, or to engage in the transportation of natural gas; declaring all corporations, persons, partnerships, or associations of persons, now engaged, or to hereafter engage in transporting natural gas from place to place in this State to be common carriers, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

PACE, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred

H. B. No. 227, A bill to be entitled "An Act declaring a public policy of the State with respect to regulation of development, conservation, transportation, and sale of natural gas; defining common carrier pipe lines engaged, or to engage in the transportation of natural gas; declaring all corporations, persons, partnerships, or associations of persons, now engaged, or to hereafter engage in transporting natural gas from place to place in this State to be common carriers, etc., and declaring an emergency."

Have had the same under consideration, and beg leave to dissent from the majority report on said bill and recommend that said bill do pass and be printed.

DeBERRY,
ONEAL,
BLACKERT.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. R. No. 68,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Rules, to whom was referred S. R. No. 57,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed. (Printed on page 701 of Journal.)

DeBERRY, Chairman.

Committee Room,
Austin, Texas, April 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 723, A bill to be entitled "An Act to fix the salary of the Superintendent of Public Instruction in each county in Texas having a population of not less than fifteen thousand, seven hundred and twenty (15,720) nor more than fifteen thousand, seven hundred and thirty (15,730), according to the latest Federal Census; providing for office and traveling expense; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Public Health, to who was referred S. B. No. 481, A bill to be entitled "An Act amending Section 14, Acts 1927, Fortieth Legislature, First Called Session, page 116, Chapter 41, as amended by Acts 1929, Forty-first Legislature, First Called Session, page 7, Chapter 4, Section 3, by adding thereto a new subsection (26) and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, the majority of your Committee on Public Health, to whom was referred

S. B. No. 364, A bill to be entitled "An Act to amend Article 7150 of the Revised Statutes of Texas, 1925, providing qualifications prerequisite to exempt from taxation for institutions, except those owned by the State of Texas, the function of which is the care of, or ministrations to sick or infirm humans, by adding thereto another Section, Number 7a, wherein it is provided that this class of institution to claim exemption from taxation, must allow all reputable licensed physicians and/or surgeons to use its facilities."

Have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, April 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, the minority of your Committee on Public Health, to whom was referred

S. B. No. 364, A bill to be entitled "An Act to amend Article 7150 of the Revised Statutes of Texas, 1925, providing qualifications prerequisite to exempt from taxation for institutions, except those owned by the State of Texas, the function of which is the care of, or ministrations to sick or infirm humans, by adding thereto another Section, Number 7a, wherein it is provided that this class of institutions to claim exemption from taxation must allow all reputable licensed physicians and/or surgeons to use its facilities."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass and be not printed.

HOLBROOK.

Minutes of Committee Meetings.

Minutes of the Senate Committee on Public Health, Held April 4, 1935.

Regular Meeting.

Present: Beck, Sanderford, Holbrook, Hornsby, Rawlings, Redditt, Small and Davis.

Absent—excused: Oneal, Woodruff and Hughston.

S. B. No. 481 by Regan—was reported favorably.

H. B. No. 356 by Reader—was reported favorably with committee amendments.

S. B. No. 364 by Small was reported favorably with a minority report. Reported by the following vote:

Yeas: Hornsby, Rawlings, Redditt and Small.

Nays: Holbrook. Holbrook gave notice of a minority report.

Paired—Yea, Davis. Absent—Nay, Sanderford.

BECK, Chairman.

Minutes of Committee on State Affairs, Held April 4, 1935.

Regular Meeting.

Present: Pace, Blackert, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Small, Stone, Sulak and Collie.

Absent—excused: Fellbaum.

Absent: Martin.

S. R. No. 68 was reported favorably by viva voce vote with the recommendation that it be not printed.

H. B. No. 227 was reported adversely by the following vote:

Yeas: Cotten, Holbrook, Hopkins, Moore, Rawlings, Redditt, Shivers, Small, Stone and Sulak.

Nays: Blackert, DeBerry, Oneal and Collie.

W. S. REEVES, Secretary.

Minutes of the Committee on Finance Held April 4, 1935.

Special Meeting.

Present: Redditt, Beck, Duggan, Hill, Holbrook, Hopkins, Hornsby, Neal, Oneal, Poage, Regan, Sanderford, Small, Stone Sulak, Van Zandt and Woodruff.

Absent—excused: Mughston, Martin, Rawlings and Burns.

S. B. Nos. 471, 482, 497, 751 and 105 were reported favorably.

S. B. No. 369 was reported adversely with favorable committee substitute.

H. B. No. 327 was reported favorably with committee amendments.

NOEL K. BROWN, Secretary.

FORTY-SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 8, 1935.

The Senate met at 9:45 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 782.

Pending business was H. B. No. 782, a motion to table an amendment by Senator Woodruff, pending.

S. O. R. No. 80.

Senator Oneal was recognized to send up the following resolution: